

**REMARKS/ARGUMENTS**

This case has been carefully reviewed and analyzed in view of the Office Action dated 03 June 2005. Responsive to the Office Action, Independent Claim 1 has been amended and Dependent Claims 2 and 3 have been cancelled.

In the Official Action, the Examiner rejected claims 1 & 3 under 35 U.S.C. § 103(a) as being unpatentable over the Snowball et al., U.S. Patent #4,825,758, in view of the Schiebelhuth et al., U.S. Patent #5,283,854. Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the prior art as applied to Claims 1 & 3, and further in view of the Wu, U.S. Patent #5,711,207.

Before discussing the prior art relied upon by the Examiner, it is believed beneficial to first briefly review the structure of the invention of the subject Patent Application, as now claimed. The invention of the subject Patent Application is directed to an automatic drip coffee maker. The automatic drip coffee maker includes a reservoir for holding water, a basket for holding ground coffee beans and a heater for heating water from the reservoir and supplying the heated water to the basket. The automatic drip coffee maker includes a chamber disposed below the opening and has a displaceable door to provide access thereto. A bowl is removably disposed in the chamber below the opening at the bottom of the basket to receive coffee therefrom and has an outlet disposed at a bottom of the bowl. The coffee maker includes a thermostat disposed in the chamber beneath the bowl, and a heating tube disposed in the chamber beneath the bowl to

maintain a temperature of coffee therein. The automatic drip coffee maker further includes a control device that is operatively disposed in the bowl to open and close the outlet of the bowl for controlling a flow of coffee from the outlet. The control device has a bifurcated body formed by a pair of parallel rod-shaped elements extending to the outlet of the bowl and is displaceable thereinto. The pair of rod-shaped elements has a valve block coupled to distal ends thereof and disposed external to the bowl. The control device is biased by a spring to close the outlet with the valve block, and the control device is displaceable against the spring bias to open the outlet by displacing the valve block therefrom.

In contradistinction, the Snowball et al. reference discloses a coffee maker comprising a basket 6 having an opening 44; a chamber (housing area) below the opening; a bowl 48 being provided in the chamber; a door 4 provided on the outside of the chamber; a dispensing tube 54 extending from an outlet 52 disposed at a bottom of the bowl; and a control device (valve) 56 provided to open and close the dispensing tube. Nowhere does the reference disclose or suggest the control device having a bifurcated body formed by a pair of parallel rod-shaped elements extending to the outlet of the bowl and being displaceable thereinto, the pair of rod-shaped elements having a valve block coupled to distal ends thereof and disposed external to the bowl, the control device being biased by a spring to close the outlet with the valve block, the control device being displaceable against the spring bias to open the outlet by displacing the valve block

therefrom, as now claimed. The bifurcated structure of the control device, as clearly shown in FIG. 5 of the subject Patent Application, provides a very stiff structure that minimizes obstruction of the outlet when the valve block is displaced therefrom and therefore maximizes the flow from the outlet over that which would be obtained by a unbifurcated member of equal stiffness.

The Schiebelhuth reference does not overcome the deficiencies of Snowball et al. The Schiebelhuth reference is directed to a continuous flow heater control system for an infusion beverage maker. The reference discloses a thermostat and a heating tube, but fails to disclose or suggest the control device having a bifurcated body formed by a pair of parallel rod-shaped elements extending to the outlet of the bowl and being displaceable thereinto, the pair of rod-shaped elements having a valve block coupled to distal ends thereof and disposed external to the bowl, the control device being biased by a spring to close the outlet with the valve block, the control device being displaceable against the spring bias to open the outlet by displacing the valve block therefrom. In fact, the reference fails to disclose any valve structure at all.

The Wu reference fails to overcome the deficiencies of Snowball et al. combined with Schiebelhuth. The Wu reference is directed to a tea making device having a brewing chamber 51 (equivalent to Applicant's basket) with a drain hole 54 that is separate from the tea outlet 53. A vertical spring-loaded operating member 551 is coupled to one end of a horizontal board 550 having a plug member 552 that plugs the

MR1111-1204

Application Serial No. 10/714,975

Responsive to Office Action dated 3 June 2005

drain hole and is displaceable therefrom responsive to displacement of the vertical operating member 551. However nowhere does the reference disclose or suggest the control device having a bifurcated body formed by a pair of parallel rod-shaped elements extending to the outlet of the bowl and being displaceable thereinto, the pair of rod-shaped elements having a valve block coupled to distal ends thereof and disposed external to the bowl, the control device being biased by a spring to close the outlet with the valve block, the control device being displaceable against the spring bias to open the outlet by displacing the valve block therefrom.

Thus, as none of Snowball et al., Schiebelhuth, and Wu disclose or suggest the unique combination of elements that form the invention of the subject Patent Application, their combination cannot make obvious that invention. Therefore, it is now believed that the subject Patent Application has been placed fully in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

FOR: ROSENBERG KLEIN & LEE



David I. Klein

Registration #33,253

Dated: 25 Aug. 2005

3458 Ellicott Center Drive, Suite 101

Ellicott City, MD 21043

(410) 465-6678

Customer No. 04586

Customer No.  
04586